

United States District Court District of Massachusetts

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 04-10336-NMG-03

REYNALDO RIVERA, ETC.

ORDER SETTING CONDITIONS OF RELEASE

COLLINGS, U.S.M.J.

After hearing, the Court finds that there is a combination of conditions of release which will reasonably assure the appearance of the defendant and the safety of other persons and the community. Accordingly, the Court sets the following Conditions of Release:

- (1) The defendant and each of his parents shall sign a bond in the amount of \$90,000 secured by the equity in the premises at 15 Madonna Circle, Lowell, Massachusetts.
- (2) The defendant shall live only at 15 Madonna Circle, Lowell, Massachusetts (“the residence”) and at no other location.
- (3) The defendant shall be subject to electronic monitoring at the residence and may not leave the residence except (a) for the purpose of attending a previously scheduled appearance in a court,

(b) for the purpose of visiting an attorney who is representing him in a pending criminal matter, and (c) for the purpose of seeking emergency medical care. Permission to leave the residence for the above-stated purposes (a), (b), or (c) is conditioned on the defendant complying with all of the requirements imposed by the Pre-Trial Services. Permission is further conditioned on one of the third-party custodians being in the defendant's actual physical presence at all times at which he is out of the residence for one of the purposes listed above.

- (4) All features on the telephone which are incompatible with electronic monitoring must be removed prior to the defendant's release.
- (5) The defendant is released into the Third Party Custody of his parents, Hector Rivera and Lydia Figueroa.
- (6) The defendant shall not apply for a passport or any type of travel documents while on release.
- (7) The defendant shall not possess any firearms, destructive devices or dangerous weapons while on release and there shall be no such firearms, destructive devices or dangerous weapons in the residence.
- (8) The defendant shall not alcohol to excess and shall not use or possess any narcotic controlled substance except by prescription from a licensed medical practitioner.
- (9) The defendant shall submit to random drug testing by Pre-Trial Services.
- (10) The defendant shall notify Pre-Trial Services within twenty-four (24) hours if he is arrested.
- (11) The defendant's travel is restricted to Essex, Middlesex and Suffolk Counties, Massachusetts.

- (12) The defendant shall not violate any Federal, state or local law while on release, including the provisions of 18 U.S.C. §§ 1503, 1512 and 1513.

When counsel for the defendant has obtained an appraisal of the residence and a certificate of good title, he shall notify the Court and the Court will schedule a release hearing. At the hearing, the defendant's parents must be present in person. If either or both parents do not speak English, counsel must notify the Clerk of that fact in advance of the hearing.

/s/ Robert B. Collings

ROBERT B. COLLINGS
United States Magistrate Judge

Date: November 12, 2004.